

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

In the Matter of the Application of CALIFORNIA-AMERICAN WATER COMPANY (U 210 W) for a Certificate that the Present and Future Public Convenience and Necessity Requires Applicant to Construct and Operate the 24,000 acre foot Carmel River Dam and Reservoir in its Monterey Division and to Recover All Present and Future Costs in Connection Therewith in Rates.

Application 97-03-052  
(Filed March 28, 1997)

**ADMINISTRATIVE LAW JUDGE'S RULING SETTING EVIDENTIARY HEARINGS, SETTING PROCEDURES TO DEVELOP NEW SERVICE LIST, AND REQUESTING ADDITIONAL INFORMATION**

**1. Background**

In a February 11, 2003 motion, California-American Water Company (Cal-Am) sought authorization to establish appropriate ratemaking accounts to book costs and expenses for future recovery incurred for environmental review of the Carmel River Dam and that will be incurred in connection with the review of the Coastal Water Plan. As required by my March 12, 2003 ruling, Cal-Am served testimony of one witness on April 1, 2003.

**2. Ratemaking Evidentiary Hearing**

On May 14, 2003 (and continuing to May 15, 2003, if necessary), I will hold evidentiary hearings to further explore the ratemaking information described in Cal-Am's testimony. In addition, other parties may serve testimony on ratemaking issues by May 7, 2003. If any party seeks to cross-examine witnesses, the party must contact me by May 9, 2003 by email (mlc@cpuc.ca.gov) or phone

(415 703 2637) with an estimate of the amount of time for cross-examination requested. At a minimum, I will question the witness to ensure that I understand the ratemaking treatment proposed.

### **3. Development of New Service List**

Cal-Am's February 11, 2003 amendment makes a significant change in the scope of its original application. For this reason, some individuals currently on the service list may no longer wish to remain on the service list, or may wish to modify their status. In addition, the passage of time has resulted in many invalid addresses. As a result, it is time to develop a new service list.

There are three types of participants in Commission proceedings:

1. **Appearance:** Appearances are those who demonstrate a plan to actively participate in the proceeding through cross-examination, submission of comments, or other means. Appearances are entitled to receive all documents filed or served in this proceeding and are obligated to serve their documents on all appearances and state service;
2. **State Service:** This list is only for people employed by the State of California that are not seeking appearance status. All those on the state service list are entitled to receive all documents filed or served in this proceeding; and
3. **Information Only:** Information Only is for people interested in notice of hearings, rulings, proposed decisions, and decisions issued by this Commission.

There are two ways to remain on the service list:

1. Attend the May 14, 2003 evidentiary hearing and fill out an appearance form, **OR**
2. By May 14, 2003, send a letter (hard copy or email) to Administrative Law Judge Michelle Cooke, 505 Van Ness Avenue, San Francisco, CA 94102 or [mlc@cpuc.ca.gov](mailto:mlc@cpuc.ca.gov). In your letter include your name, who you represent (if applicable), address, phone number, and email address, and the type of participant you are (based on the categories described above).

If you believe that you should be an “Appearance,” explain how you plan to participate in the proceeding.

If you do nothing, your name will be removed from the service list.

#### **4. Additional Information**

As I have been reviewing the Cal-Am amendment, motions, and supplemental information filed, I have identified other questions for which I seek clarification from Cal-Am. By May 5, 2003, Cal-Am shall file a response to the following questions:

- Is Cal-Am’s proposed Coastal Water Project sized to serve the supply needs of Cal-Am’s existing Monterey District customer or to accommodate regional water needs beyond Cal-Am’s franchise territory?
- Has Cal-Am communicated with other cities or counties in the vicinity of the proposed desalination facility about the proposed Coastal Water Project regarding potential regional partnerships?

**IT IS RULED** that:

1. Other parties may serve testimony on ratemaking issues by May 7, 2003.
2. Parties seeking to cross-examine at the evidentiary hearing must contact me by May 9, 2003 by email (mlc@cpuc.ca.gov) or phone (415 703 2637) with an estimate of the amount of cross-examination time requested.
3. If persons currently on the service list wish to remain on the service list they **MUST** do one of the following:
  - Attend the May 14, 2003 evidentiary hearing and fill out an appearance form, **OR**
  - By May 14, 2003, send a letter (hard copy or email) to Administrative Law Judge Michelle Cooke, 505 Van Ness Avenue, San Francisco, CA 94102 or mlc@cpuc.ca.gov. In your letter include your name, who you represent (if applicable), address, phone number, and email address, and the type of participant you are (based on the categories

described above). If you believe that you should be an  
“Appearance”, explain how you plan to participate in the  
proceeding.

4. By May 5, 2003, Cal-Am shall file a response to the questions set forth  
above.

Dated April 28, 2003, at San Francisco, California.

/s/ MICHELLE COOKE

Michelle Cooke  
Administrative Law Judge

## **CERTIFICATE OF SERVICE**

I certify that I have by mail, and by electronic mail, to the parties to which an electronic mail address has been provided, this day served a true copy of the original attached Administrative Law Judge's Ruling Setting Evidentiary Hearings, Setting Procedures to Develop New Service List, and Requesting Additional Information on all parties of record in this proceeding or their attorneys of record.

Dated April 28, 2003, at San Francisco, California.

/s/ TERESITA C GALLARDO

Teresita C. Gallardo

## **N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

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The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074,

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TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.